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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,767	11/18/2002	Ming-Hung Lee	MTKP0013USA	9210

27765 7590 02/08/2005

NORTH AMERICA INTERNATIONAL PATENT OFFICE (NAIPC)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

AGUSTIN, PETER VINCENT

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/065,767

Applicant(s)

LEE, MING-HUNG

Examiner

Peter Vincent Agustin

Art Unit

2652

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 January 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9/10/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Drawings

2. Figures 2-4B should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors, e.g.,

Paragraph 14, line 2: "data area SA(n-1)" should be --spare area SA(n-1)--.

Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Art Unit: 2652

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Shinno et al. (US 5,319,627).

In regard to claim 1, Shinno et al. disclose a method for managing data of an optical disc (see title), the optical disc comprising a plurality of data blocks (Figure 6: USER AREA) and a plurality of spare blocks (SPARE AREA) arranged in order, each of the data blocks being used to record data, and each of the spare blocks being capable of replacing a corresponding defective data block to record data, the method comprising: establishing a status table (Figure 10), wherein the status table comprises a plurality of columns arranged in order, and each of the columns is used to record a status (01, 00 or FF) of a corresponding spare block; and recording the statuses of the spare blocks in the status table according to the arranging order of the spare blocks.

In regard to claim 2, Shinno et al. disclose that when the statuses of a first spare block (Figure 10, fourth block from the top labeled "00"), of a second spare block (fifth block from the top labeled "FF"), and of a third spare block (sixth block from the top labeled "00") are respectively recorded in a first column, a second column, and a third column, the second column is located between the first column and the third column, the status of the first spare block is the same as the status of the third spare block, and there is not any data block located between the first spare block and the third spare block, when recording the statuses of the spare blocks in the status table, if the status of the second spare block is changed, the changed status of the second spare block is recorded in one of the columns, which is located between the first column and the third column.

Art Unit: 2652

In regard to claim 3, Shinno et al. disclose that each of the spare blocks could be determined whether the spare block is defective (Figure 10: areas labeled “FF”) according to the data recorded in the columns.

In regard to claim 4, Shinno et al. disclose that each of the spare blocks could be determined whether the spare block has been used (Figure 10: areas labeled “01”) to replace a corresponding defective data block according to the data recorded in the columns.

In regard to claim 5, Shinno et al. disclose that the optical disc drive comprises a memory (inherent) for storing the status table while the status table is established. The claimed “memory” is read to correspond to the inherent structure where the table in Figure 10 is stored.

In regard to claim 6, Shinno et al. disclose that there is a defective second spare block (Figure 10, fifth block from the top labeled “FF”) located between a first spare block (fourth block from the top labeled “00”) and a third spare block (sixth block from the top labeled “00”), the first spare block and the third spare block are not defective (00:AVAILABLE), and there is not any data block located between the first spare block and the third spare block, when recording the statuses of the spare blocks in the status table, the statuses of the first spare block, of the second spare block, and of the third spare block are respectively recorded in a first column, a second column, and a third column, wherein the second column is located between the first column and the third column.

Citation of Relevant Prior Art

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2652

Chan (US 5,271,018) discloses a method and apparatus for media defect management and media addressing. This invention utilizes three lists to track defective sectors and the status of each spare sector.

Satoh et al. (US 4,774,700), Ichikawa (US 5,132,956), Ito et al. (US 5,715,221), Ko (US 6,408,408), and Park et al. (US 6,453,384) are pertinent to applicant's disclosure of managing spare blocks of an optical disc.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Vincent Agustin whose telephone number is 703-305-8980. The examiner can normally be reached on Monday-Friday 9:30-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Thi Nguyen can be reached on 703-305-9687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Peter Vincent Agustin
Art Unit 2652



WILLIAM KLIMOWICZ
PRIMARY EXAMINER